DAY WAY

EDWARD H. KUBO, JR. United States Attorney District of Hawaii

## ORIGINAL

SUSAN CUSHMAN

Assistant U.S. Attorney

Room 6100, PJKK Federal Building

300 Ala Moana Blvd.

Honolulu, Hawaii 96850 Telephone: 541-2850

Facsimile: 541-2850

E-mail: Susan.Cushman@usdoj.gov

Attorneys for Plaintiff UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT DISTRICT OF HAWAII

APR 23 2008

N SUE BEITIA CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

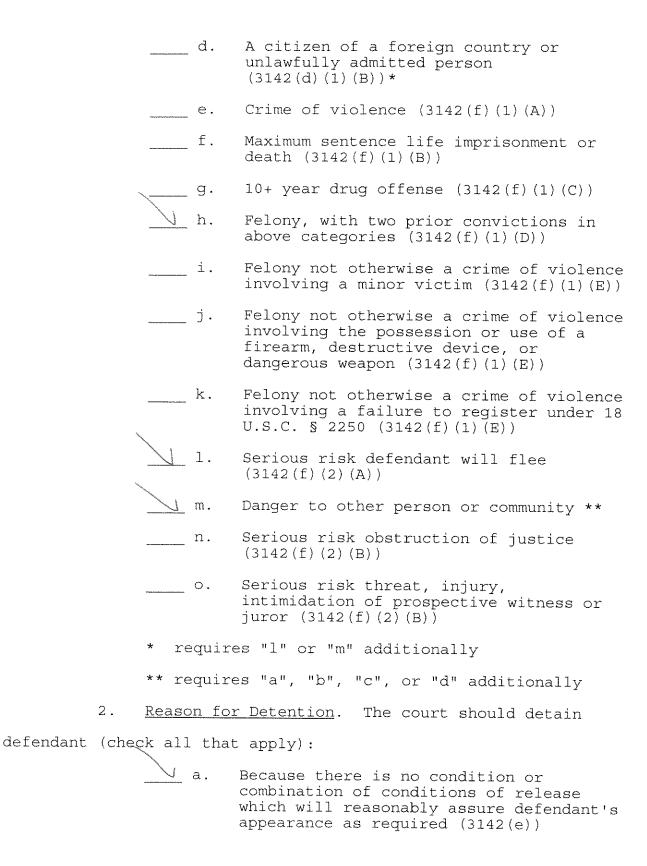
UNITI	ED STATES	OF AMERICA,	)	MAG. NO. 08-00277 BMK
		Plaintiff,	) )	MOTION TO DETAIN DEFENDANT WITHOUT BAIL
	VS.		)	
TODD	DUNPHY,		)	
		Defendant.	) ) _)	

## MOTION TO DETAIN DEFENDANT WITHOUT BAIL

The United States hereby moves to detain defendant without bail, pursuant to 18 U.S.C. § 3142.

	1.	<u>Eligib:</u>	ility	of of	<u>Case</u> . Th	nis	defer	ıdant	is	eligible
for	detention	because	the	case	involves	5 (	check	all	that	apply):

		citae appry).
	a.	Offense committed on release pending felony trial (3142(d)(1)(A)(i))*
	b.	Offense committed on release pending imposition, execution, or appeal of sentence, conviction or completion of sentence (3142(d)(1)(A)(ii))*
PPPPA COLUMN TRANSPORTATION AND ADMINISTRATION AND	C.	Offense committed while on probation or parole (3142(d)(1)(A)(iii))*



υ.	combination of conditions of release which will reasonably assure the safety of any other person and the community (3142(e))
C.	Pending notification of appropriate court or official (not more than 10 working days (3142(d))
3. <u>Rebuttable</u>	Presumption. A rebuttable presumption
that no condition or comb	bination of conditions will reasonably
assure the appearance of	defendant as required and the safety of
the community arises unde	er Section 3142(e) because (check all
that apply):	
a.	Probable cause to believe defendant committed 10+ year drug offense
b.	Probable cause to believe defendant committed an offense under 18 U.S.C. § 924(c)
C.	Probable cause to believe defendant committed an offense under 18 U.S.C. § 956(a) or 2332b
d.	Probable cause to believe defendant committed 10+ year offense listed in 18 U.S.C. § 2332b(g)(5)(B)
e.	Probable cause to believe defendant committed an offense involving a minor victim listed in 18 U.S.C. § 3142(e)
f.	Previous conviction for eligible offense committed while on pretrial release
4. Time for I	Detention Hearing. The United States
requests that the court of	conduct the detention hearing:
	At first appearance  After continuance of 3 days (not more
D.	than 3)

	5.	Out of District Rule 5 Cases. The United States
requests	that	the detention hearing be held:
		a. In the District of Hawaii
		b. In the District where charges were filed
	6.	Other Matters.
	DATE	D: April 23, 2008, at Honolulu, Hawaii.
		EDWARD H. KUBO, JR. United States Attorney District of Hawaii

By SUSAN CUSHMAN

Assistant U.S. Attorney